



COUNTY OF LOS ANGELES
Public Health

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BOARD OF SUPERVISORS

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November 14, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL BY COUNTY TO DECLINE TO CONTRACT WITH
HOLLYWOOD AND VINE RECOVERY CENTER
(Fifth District) (3 Votes)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Mayor to sign the attached letter to the State Department of Alcohol and Drug Programs (SDADP), advising the SDADP of the County's decision to decline contracting with Hollywood and Vine Recovery Center (HVRC).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

In approving this action, the Board is accepting the Department of Public Health's (DPH or Department) Alcohol and Drug Program Administration's (ADPA) recommendation to decline contracting with HVRC. HVRC is a SDADP-certified Drug Medi-Cal (DMC) Outpatient Drug-Free and Day Care Habilitative services provider which has submitted an application to provide DMC services under contract with the ADPA.

Although SDADP certified, the ADPA does not believe it should offer HVRC a County contract at this time, due to the actions of its Executive Director in the management of another DMC facility, the Calabasas Treatment Center (CTC), which ceased operations after the State suspended its DMC Certification.

In its suspension of CTC's license, the SDADP found numerous deficiencies in CTC's compliance with the California Code of Regulations, Title 22, Section 51431.1, resulting in audit disallowances of \$88,527.41. During the time these deficiencies occurred, HVRC's Executive Director was responsible for CTC's compliance with Title 22 regulations.

As a result of HVRC Executive Director's previous history in managing a DMC facility (i.e., CTC), the ADPA has reviewed the matter and recommends that the County decline to contract with HVRC. Upon Board approval of this action, the ADPA will contact the SDADP to inform them of the Board's decision, and that they can elect to contract directly with the HVRC, per Health and Safety Code Section 11758.43, if they choose.

FISCAL IMPACT/FINANCING:

There is no fiscal impact with this action.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

On August 19, 1994, as a result of the case Sobky v. Smoley, the Federal court ordered the State ADP to: 1) ensure availability of Medi-Cal methadone maintenance treatment services throughout the State, either through direct contracts or through subcontracts with various counties, where licensed methadone maintenance treatment programs are available to non-Medi-Cal patients; 2) expedite certain requests for licensed methadone maintenance treatment providers for DMC provider certification; 3) ensure that all DMC eligible persons receive methadone maintenance treatment services with "reasonable promptness;" and 4) ensure that no DMC eligible person be put on a waiting list to receive services due to budgetary constraints. While the court's judgment specifically focused on methadone maintenance treatment services, the SDADP applied the judgment to all drug abuse treatment programs supported by DMC funding.

Health and Safety Code Section 11758.43 requires the SDADP to contract directly with certified providers, when a County declines to contract with the provider. However, before it can do so, the State ADP requires that the County Board of Supervisors inform the State ADP in writing, stating its intent not to contract with a provider.

Attachment A is a letter to the SDADP, for the Mayor of the Board's signature, stating the County's intent not to contract with HVRC. County Counsel has reviewed and approved the letter.

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES (OR PROJECTS):

There is no impact on current services.

When approved, this Department requires three signed copies of the Board's action and three signed and certified copies of the letter to the SDADP, for transmittal to the State.

Respectfully submitted,



Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

JEF:po
HOLLYWOOD AND VINE FFFF.po.wpd

Attachment

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors

ATTACHMENT A

November 14, 2006

Kathryn P. Jett, Director
California Department of Alcohol and Drug Programs
1700 K Street
Sacramento, California 95814

Dear Ms. Jett:

APPROVAL BY COUNTY TO DECLINE TO CONTRACT WITH
HOLLYWOOD AND VINE RECOVERY CENTER

Upon motion of Supervisor _____, seconded by
Supervisor _____, the County of Los Angeles
declines to contract with Hollywood and Vine Recovery Center.

Attached is an executed copy of our Board's Order.

Very truly yours,

Michael D. Antonovich, Mayor
Board of Supervisors

MDA:po

Attachment

c: Chief Administrative Officer
County Counsel